IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
APPEAL (L) NO.16 OF 2005
IN
COMPANY APPLICATION NO.339 OF 2004
IN
COMPANY APPLICATION NO.338 OF 2004
WITH
NOTICE OF MOTION NO.132 OF 2005

Sharp Industries Limited. .. .. Appellant

Mr.Janak Dwarkadas, Senior Counsel i/by M/s.Bhaishankar Kanga & Girdharlal for appellant.

Mr.K.K.Shroff i/by Mr.Bharat Shah for respondent.

W I T H

APPEAL (L) NO.18 OF 2005
IN
COMPANY APPLICATION (L) NO.880 OF 2004
IN
COMPANY APPLICATION NO.338 OF 2004
WITH
NOTICE OF MOTION NO.133 OF 2005

Sharp Industries Limited. .. .. Appellant
v/s.
Traxpo Enterprises Private Limited. .. Respondent

Mr.Janak Dwarkadas, Sr.Counsel i/by M/s.Bhaishankar Kanga & Girdharlal for appellant.

Mr.D.J.Khambatta i/by Ms.Hina Mehta for respondent.

W I T H

APPEAL (L) NO.19 OF 2005
IN
COMPANY APPLICATION (L) NO.462 OF 2004
IN
COMPANY APPLICATION NO.338 OF 2004
WITH
NOTICE OF MOTION NO.135 OF 2005

Sharp Industries Limited. .. .. Appellant
v/s.
Converter Adhesives and Chemicals
Private Limited. .. .. Respondent

Mr.Janak Dwarkadas, Sr.Counsel i/by M/s.Bhaishankar Kanga & Girdharlal for appellant.

None for respondent.

W I T H

APPEAL (L) NO.20 OF 2005
IN
COMPANY APPLICATION (L) NO.942 OF 2004
IN
COMPANY APPLICATION NO.338 OF 2004
WITH
NOTICE OF MOTION NO.135 OF 2005

Sharp Industries Limited .. .. Appellant
v/s.
Videocon International .. .. Respondent

Mr.Janak Dwarkadas, Sr.Counsel i/by M/s.Bhaishankar Kanga & Girdharlal for appellant.

Mr.V.R.Dhond i/by M/s.Ram & Co. for respondent.

W I T H

APPEAL (L) NO.21 OF 2005
IN
COMPANY APPLICATION (L) NO.827 OF 2004
IN
COMPANY APPLICATION NO.338 OF 2004
WITH
NOTICE OF MOTION NO.136 OF 2005

Sharp Industries Limited. .. .. Appellant
v/s.
G.E. Capital Services India. .. Respondent

Mr.Janak Dwarkadas, Sr.Counsel i/by M/s.Bhaishankar Kanga & Girdharlal for appellant.

Mr.B. Colabawala i/by M/s.Madekar & Co. for respondent.

CORAM : H.L. GOKHALE &
S.C.DHARMADHKARI, JJ.

DATED : 27TH JANUARY 2005

P.C. :

1. Heard Mr.Dwarkadas in support of all the above appeals and the various Counsel appearing for the contesting respondents.

2. A meeting of the shareholders and secured and unsecured creditors of the appellant-company has been held and the appellant-company claims that it has approved the scheme for arrangement placed by the company for their consideration. The company has thereafter filed Company Petition (Lodging) No.1 of 2005 for approval thereof. The same is pending before the learned Single Judge.

3. In our view, the proper course will be to await the decision of that proceeding. In the meanwhile, the ad-interim order, which was passed by the learned Single Judge on 27th August 2004 in Company Application No.339 of 2004 ought to continue and we direct that the same will be continued for a period of eight weeks during which period the parties will endeavour to get Company Petition (Lodging) No.1 of 2005 decided before the learned Single Judge. We request the learned Single Judge taking company matters to take up Company Petition (Lodging) No.1 of 2005 at the earliest. Liberty to the parties to mention the

matter before the learned Single Judge and to request him to take it up at the earliest on the basis of the order that we have passed. In the event, Company Petition (Lodging) No.1 of 2005 is not decided within eight weeks, it will be open to the parties to apply for extension of interim protection before the learned Single Judge.

4. All the contentions of the parties will be available to them, if and when they are required to agitate the same subsequently.

5. All the above Appeals and the Notice of Motions stand disposed of.

(H.L. GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)